

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Olivia Rose Brooks,)	
)	
Plaintiff,)	
)	Civil Action No. 2:23-cv-3363-BHH
v.)	
)	<u>ORDER</u>
State of Georgia, and)	
Dept. of Family and Children Services,)	
)	
Defendants.)	
_____)	

This matter is before the Court upon Plaintiff Olivia Rose Brooks' ("Plaintiff") *pro se* complaint filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge for preliminary determinations in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d), D.S.C.

On September 15, 2023, Magistrate Judge Mary Gordon Baker issued a report and recommendation ("Report") outlining the issues and recommending that the Court transfer this action to the Northern District of Georgia. Attached to the Report was a notice advising the parties of the right to file written objections to the Report within fourteen days of being served with a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the

Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, because no objections have been filed, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After review, the Court finds no clear error and fully agrees with the Magistrate Judge’s analysis. Accordingly, the Court hereby **adopts and incorporates** the Magistrate Judge’s Report (ECF No. 8). For the convenience of the parties and in an abundance of caution for the *pro se* Plaintiff, the Court transfers this action to the United States District Court for the Northern District of Georgia so the proper district court can evaluate Plaintiff’s claims.

IT IS SO ORDERED.

/s/Bruce H. Hendricks
United States District Judge

October 4, 2023
Charleston, South Carolina